



February 2, 2023

Honorable Senator William C. Smith Jr.  
Chair, Senate Judicial Proceedings Committee  
Miller Senate Office Building, 2 East  
Annapolis, MD 21401

Re: Testimony in SUPPORT of SB27 – **Criminal Procedure - Restorative Justice Program**

Dear Chair William C. Smith Jr. and Senate Judicial Proceedings Committee Members:

On behalf of the Council on American-Islamic Relations, I thank you for this opportunity to testify in support of Senate Bill 27 Criminal Procedure - Restorative Justice Program, sponsored by Senator Chris West. CAIR is America's largest Muslim civil rights and advocacy organization.

SB27 aims to establish the Restorative Justice Program (RJP) within the Victim Services Unit of the Governor's Office of Crime Prevention, Youth and Victim Services. It also seeks to establish the position of Restorative Justice Legal Specialist, a RJP revolving fund and the Maryland Restorative Justice Council.

My organization's work to promote tolerance and advance justice particularly for marginalized and under-represented communities is rooted in faith, and that faith teaches prioritizing non-carceral solutions and restorative practices whenever possible.

When Imam Bahloul, the resident scholar at the Islamic Center of Nashville in Tennessee, was asked by a U.S. Attorney what punishment the Muslim community wanted a Texas man to face for calling in a bomb threat against the Islamic Center of Murfreesboro, he replied: "We want him to serve 50 hours with the Muslim community. We want him to interact with the Muslim community. Justice is not really to destroy someone, but justice is to bring decency. It's to try to fix something that has been wrong."<sup>1</sup>

In the conversation about justice, the ultimate goal of our legal and penal systems should not be to punish offenders for their crimes, but rather to proactively deter crime itself. Recidivism rates under retributive justice systems, such as those existing in our state and country, prove that institutionalization and criminalization do not necessarily serve a rehabilitative purpose. In fact, multiple studies show rehabilitation reduces recidivism whereas retribution further exacerbates anti-social tendencies in offenders and fosters contempt for authority.<sup>2</sup>

Restorative practices focus on healing victims/survivors, offenders and communities. This form of justice aims to examine and assess the harm of a crime and help determine the best course of

action to repair that harm while also seeking accountability from the perpetrator for their actions in the form of accepting responsibility, acknowledging that harm was committed and then actively seeking to repair it.

Elements of restorative justice aren't centered around punishment, but rather healing for the victim through the actions by the person convicted of wrongdoing. The process aims to bring closure to all the involved parties with one of the objectives being to prevent future harm.

This measure references trauma-informed methodologies and retains a victim-centered approach to restorative justice that aspires towards positive outcomes for victims/survivors, offenders and the community at large. We believe it is balanced; protects the rights, dignity and welfare of victims and survivors; and will help reduce recidivism rates.

For these reasons, we urge a favorable report on SB27. Thank you for your consideration.

Sincerely,

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1. 'Meyer, Holly. 'What do Islam and restorative justice have in common? This Ramadan panel explains.' *The Tennessean*. 6 June 2017.  
<https://www.tennessean.com/story/news/religion/2017/06/06/what-islam-and-restorative/372433001/>
2. 'Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders.' United Nations Office on Drugs and Crime. December 2018.  
[https://www.unodc.org/documents/justice-and-prison-reform/18-02303\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/18-02303_ebook.pdf)
3. Can Retribution and Rehabilitation Coincide?, Nate, Rob, Key, and Maklayne.'